

REMARKS

Claims 1-4, 6-14, 19-22, and 24-46 are pending in the present application. Claims 30-46 have been withdrawn from consideration. In the Office Action dated March 22, 2005, claims 1-29 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,359,138 to Kummerlin et al. ("Kummerlin patent").

Applicant affirms the oral election without traverse to prosecute claims 1-29.

The embodiments disclosed in the present application will now be discussed in comparison to the cited references. Of course, the discussion of the disclosed embodiments, and the discussion of the differences between the disclosed embodiments and the cited references, do not define the scope or interpretation of any of the claims. Instead, such discussed differences merely help the Examiner appreciate important claim distinctions discussed thereafter.

Embodiments disclosed in the present application are directed to equipment for improving and extending the usefulness of a ladder, and more particularly, to ladder stabilizer attachment apparatus and methods. In one aspect, an attachment apparatus for a ladder having a plurality of rungs extending between a pair of elongated rails includes a main support adapted to be coupled to the ladder approximately parallel to the rungs and having a first coupling member adapted to be proximate a first one of the elongated rails and a second coupling member adapted to be proximate another one of the elongated rails. The attachment apparatus further includes first and second support modules, each support module having an elongated support member including a proximal end and a distal end and a support arm projecting outwardly therefrom in a first direction. The support arm may be attached to the support member proximate the distal end. Each support module is removeably coupleable with at least one of the coupling members such that a first longitudinal axis of the support member is approximately aligned with a second longitudinal axis of the main support and removeably coupleable with at least one of the coupling members such that the first longitudinal axis of the support member is approximately orthogonal to the second longitudinal axis of the main support.

Thus, the support modules are each configured in a manner that enables them to be removeably coupled to the main support in two configurations. In a first configuration, the support modules are positioned so that the first longitudinal axis of the support member is approximately aligned with the second longitudinal axis of the main support. In a second

configuration, the support modules are positioned so that the first longitudinal axis of the support member is approximately orthogonal with the second longitudinal axis of the main support. One advantage of the embodiments disclosed in the present application is that the support module may be coupled to the main support while the main support is attached to the ladder in the second configuration for transportation. In the second orientation, the support modules do not extend significantly away from the side rails of the ladder, thus, making it easy to transport the ladder on the roof of car with the ladder stabilizing apparatus still installed on the ladder. In addition to the versatility of having two different orientations that the support modules may be installed on a ladder, the support modules may be removed for easy storage.

The Examiner has cited the Kummerlin patent. The Kummerlin patent discloses a variety of embodiments for a supporting device for a ladder. Figures 1-5 disclose embodiments for a supporting device in which a cross member 1 attaches to a rung 5 of a ladder using two hooks 4 in conjunction with hooks 7' that attach to another rung 5 in order to secure the cross member 1 to the ladder. Supports 12 may be attached to respective ends of the cross member 1 using clamping screws 11. Figures 2 and 3 show the supports 12 in two different configurations. However, in both configurations the angle between the longitudinal axis of each of the sections 13 of the supports 12 and the cross member 1 remains constant. Similarly, in the embodiment disclosed in Figures 7-9, the angle between the longitudinal axis of each outer section 113 of each support 112 and connecting rod 125 remains constant regardless of the orientation of the sections 113. Therefore, the Kummerlin patent does not disclose or fairly suggest a supporting device where the supports 12, such as in Figures 1-5, or the sections 113, such as in Figures 7-9, can be oriented relative to the cross member in different orientations so that when the supports 12 and sections 113 are coupled to the cross member, the longitudinal axis thereof is approximately aligned or orthogonal with the longitudinal axis of the cross member.

Turning now to the claims, the patentably distinct differences between the cited references and the claim language will be specifically pointed out. Claim 1 recites "a main support adapted to be coupled to the ladder approximately parallel to the rungs and having a first coupling member adapted to be proximate a first one of the elongated rails and a second coupling member adapted to be proximate another one of the elongated rails; and *first and second support*

modules, each support module having an elongated support member including a proximal end and a distal end and a support arm projecting outwardly therefrom in a first direction, the support arm being attached to the support member proximate the distal end, each support module removeably coupleable with at least one of the coupling members such that a first longitudinal axis of the support member is approximately aligned with a second longitudinal axis of the main support and removeably coupleable with at least one of the coupling members such that the first longitudinal axis of the support member is approximately orthogonal to the second longitudinal axis of the main support.” (Emphasis Added). The Kummerlin patent fails to disclose or fairly suggest an attachment apparatus for a ladder having the support modules removeably coupleable to the main support so that the support modules may be positioned in the two different orientations recited in claim 1. Claim 19 is patentable for at least the same reasons. Claims depending from claims 1 and 19 are also allowable due to depending from an allowable base claim and further in view of the additional limitations recited in the dependent claims.

Claim 11 recites “a main support adapted to be coupled to the ladder approximately parallel to the rungs and having a first coupling member proximate a first one of the elongated rails and a second coupling member proximate another one of the elongated rails; a first support module removeably coupleable to the first coupling member and a second support module removeably coupleable to the second coupling member, each support module having a support member including a proximal end and a distal end, and a support arm attached to the support member proximate the distal end and projecting outwardly therefrom in a first direction, *the proximal end of the support member being removeably coupleable to a corresponding one of the first and second coupling members in a first position wherein the support member is approximately aligned with the main support; and wherein each support module further includes an engagement arm attached to the support member, the engagement arm being removeably coupleable to the corresponding one of the first and second coupling members in a second position wherein the support member is approximately orthogonal to the main support.* (Emphasis Added). Again, the Kummerlin patent fails to disclose or fairly suggest an attachment apparatus for a ladder having the support modules removeably coupleable to the main support so that the support modules may be positioned in the two different orientations recited in claim 11.

Claims depending from claim 11 are also allowable due to depending from an allowable base claim and further in view of the additional limitations recited in the dependent claims.

Claim 26 is directed to a method of stabilizing a ladder and recites “coupling a main support to the ladder parallel to the rungs, the main support having a first coupling member proximate a first one of the elongated rails and a second coupling member proximate another one of the elongated rails; removeably coupling first and second support modules to the first and second coupling members, respectively, each support module having an elongated support member and a support arm projecting outwardly therefrom in a first direction, the support member having at least one projecting portion removeably coupled with at least one of the first and second coupling members of the main support; *stabilizing the ladder using the first and second support modules; and decoupling the first and second support modules from the first and second coupling members while the main support is coupled to the ladder.* (Emphasis Added). The Kummerlin patent fails to disclose or fairly suggest the acts of stabilizing the ladder using the support modules and decoupling the support modules from the main support so that the support modules may be installed again in a different orientation or, if desired, stowed.

All of the claims being currently examined in the application (Claims 1-4, 6-14, 19-22, and 24-29) are now clearly allowable. Favorable consideration and a timely Notice of Allowance are earnestly solicited.

Respectfully submitted,

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